



Federal Court of Appeal



Federal Court

NOTICE TO THE PROFESSION

TO : Members of the Profession

FROM : The Honourable Marc Noël,
Chief Justice of the Federal Court of Appeal

and

The Honourable Paul Crampton,
Chief Justice of the Federal Court

DATE : June 23, 2021

RE: Coming in Force of Amendments to the *Federal Courts Rules* and to the *Federal Courts Citizenship, Immigration and Refugee Protection Rules*

Two groups of amendments to the *Federal Courts Rules* and one group of amendments to the *Federal Courts Citizenship, Immigration and Refugee Protection Rules* were approved by His Excellency the Administrator of the Government of Canada in Council and registered on June 17, 2021, and came into force upon registration.

Group 1. Amendments to the *Federal Courts Rules* in order to:

- (1) provide greater clarity to the Rules by eliminating contradictions between the English and French versions and by eliminating inconsistencies between different rules; and
- (2) reduce duplication by limiting the number of paper copies to be filed in certain instances.

Pre-publication in the [Canada Gazette, Part I](#): June 3, 2017

Approval: PC Number [2021-0593](#)

Registration: June 17, 2021 [SOR/ 2021-0151]

Coming in Force: June 17, 2021

Publication in the [Canada Gazette, Part II](#): July 7, 2021

Group 2. Amendments to the *Federal Courts Rules* in order to:

- (1) increase the monetary limit for jurisdiction of a prothonotary and for simplified actions;
- (2) provide for an electronic version of case law in books of authorities;
- (3) establish a framework for timely filing of books of authorities in appeals;
- (4) codify the existing practice for condensed appeal books;
- (5) codify the existing practice for confidential documents in criminal law proceedings under the *Competition Act*;
- (6) establish a procedure for an ‘appearance’ by a defendant in Federal Court (“Notice of Intention to Respond”) and standardize the timeline for filing a defence for defendants who are served with the plaintiff’s statement of claim in either Canada or the United States; and

(7) clarify the material to be contained in applicant's record.
Pre-publication in the [Canada Gazette, Part I](#): November 5, 2016
Approval: PC Number [2021-0592](#)
Registration: June 17, 2021 [SOR/ 2021-0150]
Coming in Force: June 17, 2021
Publication in the [Canada Gazette, Part II](#): July 7, 2021

Group 3. Amendments to the *Federal Courts Citizenship, Immigration, and Refugee Protection Rules* in order to:

- (1) require that a party identify the name of the person who prepares, for a fee or other consideration, the application for leave and judicial review;
- (2) introduce a new provision that consolidates a number of separate provisions regarding the deemed receipt of documents that are "sent," including the option for electronic transmission, and aims to align these Rules with the modernized *Federal Courts Rules* regarding the deemed receipt of documents that are "served";
- (3) introduce a simplified procedure to request an anonymity order;
- (4) introduce a requirement for the applicant to file a statement indicating the language of the hearing and of the materials in the court record; and
- (5) amend the definition of an "appeal" to reflect the changes under the *Citizenship Act*.

Pre-publication in the [Canada Gazette, Part I](#): September 9, 2017
Approval: PC Number [2021-0591](#)
Registration: June 17, 2021 [SOR/ 2021-0149]
Coming in Force: June 17, 2021
Publication in the [Canada Gazette, Part II](#): July 7, 2021

For more information, please contact the Secretary to the Federal Courts Rules Committee, Andrew Baumberg, by email at andrew.baumberg@cas-satj.gc.ca.

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Chief Justice,
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« Paul Crampton »
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